

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PETER ALLEN, *et al.*

ORDER TO PRODUCE

Plaintiffs,

19-cv-8173 (LAP)

-vs.-

ECF

CARL KOENIGSMANN, *et al.*

Defendants.

**TO: Donita McIntosh, Superintendent
Clinton Correctional Facility
1156 Rt. 374
Dannemora, New York 12929**

WHEREAS James Pine DIN# 08A1101 is a class member in the above-captioned matter;

WHEREAS Mr. Pine is currently in custody at Clinton Correctional Facility in Dannemora, New York; and

WHEREAS Mr. Pine's testimony is needed for a trial in the above-captioned matter; and

WHEREAS Clinton Correctional Facility has already been ordered to reserve the video conferencing equipment for August 8, 2023; and

NOW THEREFORE, IT IS ORDERED that the SUPERINTENDENT OF CLINTON CORRECTIONAL FACILITY produce James Pine on August 8, 2023 at 3:00pm until his testimony is complete and/or the day's proceedings have ended; and

IT IS FURTHER ORDERED that Mr. Pine must be allowed to participate in the video proceeding in a privileged and confidential manner; DOCCS personnel must allow him to bring any legal papers Mr. Pine has been sent by his counsel and he shall be allowed to testify without the presence of any third parties in the room, unless bona fide safety and security issues necessitate the presence of a member of DOCCS' personnel.

Dated: July ___, 2023

So ordered: _____

LORETTA A. PRESKA, U.S.D.J.